

Remarks

Claims 1-24 are pending, but stand rejected. Claims 1, 3-6, 8-16, and 19-24 have been amended. In view of the amendments and the following remarks, the Applicant respectfully requests the Examiner's thoughtful reconsideration.

CLAIM REJECTIONS – 35 USC §102

Claims 1-8, 10-11, 13-17, and 19-24 were rejected under 35 U.S.C. §102 as being unpatentable over USPN 6,613,160 issued to Kraslavsky

Claim 1 is directed to a method of transmitting a message and recites the following elements:

- a) determining if a device encounters an event while processing a job;
- b) determining if the job meets a pre-determined criterion; and
- c) transmitting a message to a remote destination when each of a set of pre-determined conditions exist, the pre-determined conditions include:
 - a. determination that the a device ~~encounters~~ encountered the event while processing the job; and
 - b. a determination that the job met the pre-determined criterion.

In support of the rejection the Examiner cites:

- Kraslavsky, Fig. 1;
- Kraslavsky, col. 1 line 60 through col. 2, line 5;
- Kraslavsky, col. 14, line 32,
- Kraslavsky, col. 15, line 34;
- Kraslavsky, col. 16, line 66 through col. 17, line 16;
- Kraslavsky, col. 20, lines 24-39,
- Kraslavsky, table 8; and
- Kraslavsky, claim 13.

Nothing in Kraslavsky, including the cited passages, figure, table, and claim, teaches or suggests a method in which a message is transmitted to a remote location following a determination that a (a) a device has encountered a condition while processing a job, and that (b) the job meets a pre-determined criterion as recited by Claim 1.

Kraslavsky, Fig. 1 simply illustrates a block diagram of a local area network.

Kraslavsky, col. 1 line 60 through col. 2, line 5 describes a problem in which a printer is not placed in a safe default configuration at the end of a print job. The passage mentions nothing of determining whether an event is encountered while processing a print job, determining whether the print job meets a pre-determined criterion, or transmitting a message to a remote destination when both determinations are positive.

Kraslavsky, col. 14, line 32 is taken from a paragraph that describes configuration data for a printer and corresponding data logs that can include various information. That paragraph mentions nothing of determining whether an event is encountered while processing a print job, determining whether the print job meets a pre-determined criterion, or transmitting a message to a remote destination when both determinations are positive.

Kraslavsky, col. 15, line 34 is taken from a paragraph that describes advantages of bi directional communication between a printer and an NED (Network Expansion Board). That paragraph mentions nothing of determining whether an event is encountered while processing a print job, determining whether the print job meets a pre-determined criterion, or transmitting a message to a remote destination when both determinations are positive.

Kraslavsky, col. 16, line 66 through col. 17, line 16 is reproduced as follows:

Steps S9 through S12 comprise a so-called "autologging" function which is carried out in the NEB by the CPSOCKET program in order to automatically and systematically provide status information from the printer to the LAN (autologging will be discussed in greater detail in section 4k below). In Step S9, if midnight has not been reached the procedure advances to Step S13. However, once midnight is reached, the NEB microprocessor

216 transmits a request to the printer over the SCSI bus for the printer to return current status to the NEB. For example, the printer may return the cumulative number of pages printed to the NEB. In Step S11, the NEB microprocessor 216 calculates printer statistics such as pages per job or pages per day, the NEB having kept track of the number of jobs sent to the printer and the date. At Step S12, the printer statistics are transferred to a non-volatile memory such as the printer's hard disk 114 or NVRAM 111, or the NEB's NVRAM 228. Alternatively, Steps S10, S11, S12 may be performed before Step S9, so that statistics are stored every minute.

To summarize, the passage describes that upon a determination that once the time of midnight is reached an NEB microprocessor (216) transmits a request for a printer to return status information to the NEB (2). The passage mentions nothing of transmitting a message to a remote destination following a determination that a device encountered an event while processing a job and a determination that the job meets a pre-determined criterion.

Kraslavsky, col. 20, lines 24-39, is reproduced as follows:

At Step S28, the microprocessor 216 retrieves the requested status data from DRAM 220, assembles the status data, and sends it to the LAN through the LAN interface (to be discussed in greater detail in section 4i below). Thus, in Step S28, more than simple "on/off" information may be transmitted to the LAN so as to inform the LAN of the detailed status of the printer. In a broad application, Step S28 encompasses the export of printer front panel status over the LAN, and the import of front panel control commands from the LAN. That is, the network administrator at the PC 14 may request and receive a display indicating all of the printer information included on the printer front panel display 116. The network administrator may then activate different printer front panel functions on his/her PC, and such functions will be transmitted to the printer where the selected control will be effected.

To summarize, the passage describes that the NEB microprocessor (216), after obtaining and assembling status data, sends the assembled data to the local area network. While the passage mentions sending data to a remote location, the sending of data is not conditioned following a determination that a print job

meets a predetermined criterion. Specifically, Kraslavsky's NEB microprocessor (216) does NOT send the assembled data when each of a set of pre-determined conditions exist where those pre-determined conditions include (a) a determination that the device has encountered an event while processing a job, and that (b) a determination that the job has met the pre-determined criterion.

Kraslavsky, Table 8, is a list of status conditions. The relevance of Table 8 to claim 1 is suspect at best. The status conditions are NOT a set of predetermined conditions as recited by Claim 1. At best, they simply reflect data that can be transmitted to a remote location.

Kraslavsky, claim 13, simply describes a processor that periodically stores status data generated by a printer and also transmits that data in response to a request. Plainly, the language of Kraslavsky's claim 13 requires that the data be sent in response to a request and NOT upon the specific determinations recited by Claim 1.

For at least these reasons, Claim 1 is patentable over Kraslavsky as are Claims 2-9 due at least in part to their dependence from Claim 1.

Claim 10 is directed to a method of transmitting a message and recites the following elements:

- a) receiving input that specifies at least one print job criterion and an e-mail address;
- b) submitting a print job to a printer for processing;
- c) determining if a device encounters an event while processing a job;
- d) determining if the job meets the pre-determined criterion; and
- e) if it is determined that the print job meets the at least one print job criterion and that the printer encountered an event while processing the print job, then transmitting an e-mail message to the e-mail address.

As clarified above with respect to Claim 1, Kraslavsky simply does not teach or suggest (1) determining if a device encounters an event while

processing a job, (2) determining if the job meets the pre-determined criterion, and then (3) sending of an e-mail message (or any other type of message) if both determinations are true. Moreover, the Examiner does not even assert that Kraslavsky teaches or suggest a method that includes receiving input that specifies at least one print job criterion and an e-mail address and then, if a criterion is met, transmitting an e-mail message to the e-mail address. The Examiner merely states "Kraslavsky teaches transmitting of a message over a network. IP address is well known in network communication." The Applicant respectfully asks the Examiner to explain the relevance of this statement.

For at least these reasons, Claim 10 is patentable over Kraslavsky as are Claims 11-14 due at least in part to their dependence from Claim 10.

Claim 15 is directed to a computer readable medium embodying a program of instructions for causing a computer to perform the followings:

- (a) receiving a request from a user to print a document;
- (b) in response to the request, performing the following substeps:
 - (i) accessing the document to determine if the document has at least one characteristic;
 - (ii) submitting a print job that describes the document to a printer;
 - (iii) determining if the printer encounters an event while processing the print job; and
 - (iv) if it is determined that the print document has the at least one characteristic and that the printer has encountered the event while processing the job, then commanding a device to transmit a message to a pre-determined address.

The Examiner asserts that the applicant failed to provide argument as to why Claim 15 is patentable in the response filed October 6, 2005. The Examiner asserts that the Applicant "Merely set forth what the claims require." The Examiner's assertions are not well taken. The Applicant's arguments with

respect to Claim 15 from the October 6, 2005 response are reproduced as follows:

As clarified above with respect to Claims 1 and 10, Kraslavsky simply does not teach or suggest the sending of a message (or any other type of message) to a predetermined address if a printer encounters an event while processing a print job. Moreover, the Examiner does not even assert that Kraslavsky teaches or suggest a method that includes accessing a document to determine if the document has at least one characteristic.

For at least these reasons, Claim 15 is patentable over Kraslavsky as are Claims 16-18 due at least in part to their dependence from Claim 15.

Clearly, the Applicant identified multiple elements of Claim 15 and asserted the Kraslavsky did not teach or suggest those elements referring to prior arguments made with respect to Claims 1 and 10. Plainly the Applicant did more than simply set forth that which Claim 15 required.

Moreover, the Applicant also argued that the Examiner did not even assert that Kraslavsky teaches or suggest a method that includes accessing a document to determine if the document has at least one characteristic. The Examiner bears the burden of setting forth grounds for rejection that address each and every limitation of a rejected Claim. How can the Examiner ask the Applicant to provide an argument with respect to a limitation not yet addressed by the Examiner? Such would unfairly require the Applicant to conjure up a argument for the Examiner as well as a response to that argument. By failing to address an element of Claim 15, the Examiner has simply failed to meet the required burden for establishing a prima facia case of anticipation.

Nonetheless, as clarified above with respect to Claims 1 and 10, Kraslavsky simply does not teach or suggest (1) accessing a document to determine if the document has at least one characteristic, (2) determining if the printer encounters an event while processing the print job, and then (3) if both determinations are true, then commanding a device to transmit a message to a pre-determined address.

The Examiner asserts that step (S15) in Kraslavsky, Fig. 5B and B in Fig. 5C teach "the received documents is determined whether it is LAN data. If it is, a

print job is created." This is an apparent argument that Kraslavsky teaches a method that includes accessing a document to determine if the document has at least one characteristic. However, the Examiner is mistaken. Kraslavsky, Figs. 5B and 5C are reproduced below:

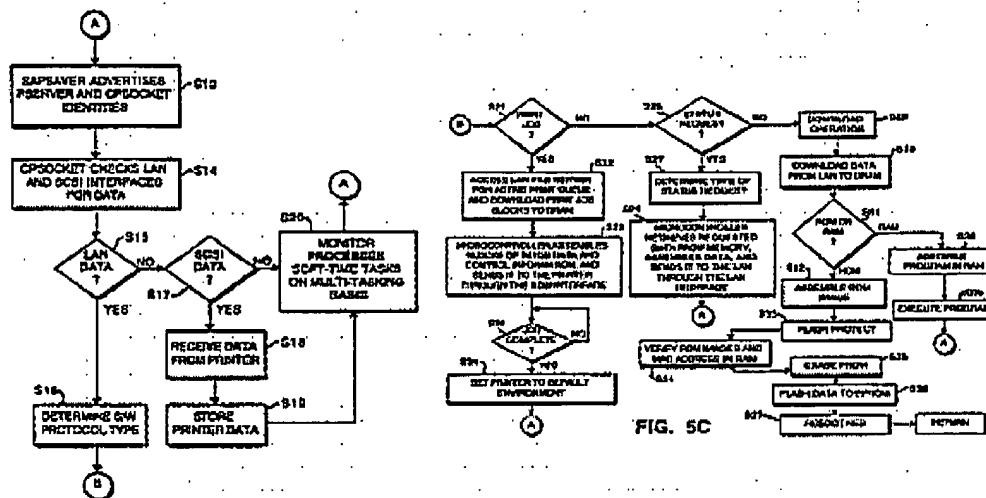


FIG.5B

A cursory review of Fig. 5, reveals that step (S15) does NOT teach determining whether a received document is LAN data. Step (S15) involves a determination of whether LAN data is being received through a LAN interface. See Step (S14) and Kraslavsky, col. 18, lines 29-30. At step (S21) in fig. 5C, Kraslavsky teaches determining whether the LAN data being received is for a print job. Kraslavsky, col. 19, lines 21-26. In short, Kraslavsky teaches monitoring a LAN interface and upon detecting packets of data being received through that LAN interface and determining if those data packets are for a print job. Kraslavsky mentions nothing of accessing the print job before or after all the packets are received to determine if the print job has at least one characteristic.

For at least these reasons, Claim 15 is patentable over Kraslavsky as are Claims 16-18 due at least in part to their dependence from Claim 15.

Claim 19 is directed to a computing system that includes the following elements:

- a) means for receiving input from a user that specifies at least one print job criterion;
- b) means for receiving a request from the user to submit a print job to a printer;
- c) means for responding to the request by submitting the print job to the printer;
- d) means for determining if the print job meets the criterion;
- e) means for determining if the printer encounters an event; and
- f) means for transmitting a message to an address upon a determination that the print job meets the criterion and that the printer has encountered the event.

As clarified above with respect to Claim 1, Kraslavsky simply does not teach or suggest (1) means for determining if the print job meets the criterion, (2) means for determining if the printer encounters an event, and (3) means for transmitting a message to an address upon a determination that the print job meets the criterion and that the printer has encountered the event.

For at least these reasons, Claim 19 is patentable over Kraslavsky as are Claims 20-24 due at least in part to their dependence from Claim 15.

CLAIM REJECTIONS – 35 USC §103

Claim 9 was rejected under 35 U.S.C. §103 as being unpatentable over USPN 6,613,160 issued to Kraslavsky in view of USPN 5,778,183 issued to Fillon. Claim 9 depends from Claim 1 and includes all the limitations of that base claim. For at least the same reasons Claim 1 is patentable, so is Claim 9.

CLAIM REJECTIONS – 35 USC §103

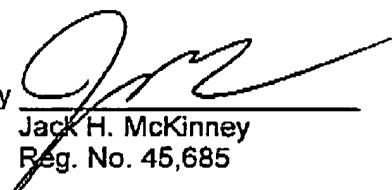
Claims 12 and 18 were rejected under 35 U.S.C. §103 as being unpatentable over USPN 6,613,160 issued to Kraslavsky in view of USPN

5,778,183 issued to Fillon in further view of USPN 5,751,961 issued to Smyk. Claim 12 depends from Claim 10 and includes all the limitations of that base claim. Claim 18 depends from Claim 15 and includes all the limitations of that base claim. For at least the same reasons Claims 10 and 15 is patentable, so are Claim 12 and 18.

Conclusion

In view of the foregoing remarks and amendments, Applicant respectfully submits that Claims 1-24 define allowable subject matter. The Examiner is requested to indicate the allowability of all claims in the application and to pass the application to issue.

Respectfully submitted,
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